

REMARKS

Reconsideration of the pending application is respectfully requested on the basis of the following particulars.

1. In the claims

As shown in the foregoing AMENDMENT TO THE CLAIMS, the claims have been amended to more clearly point out the subject matter for which protection is sought.

A. Claim amendments

Claim 1 is amended to clarify that the human search assistants “formulate a first information request” by conducting a dialogue and then subsequently “directs the first information request to an appropriate one of the specialized adjunct human search assistants.” The specialized adjunct human search assistant reformulates the first information request into an adapted information request. It is respectfully submitted that no new matter is added, since support for the amendments is clearly found at least on page 5, lines 23-30, page 7, line 33 through page 8, line 1, page 8, lines 11-15, and page 13, lines 18-29 of the accompanying description in the specification.

Claim 1 is also amended to provide clarity regarding the search assistants. The at least one human search assistant is composed of one or more head human search assistants who have below them a number of specialized adjunct human search assistants. It is respectfully submitted that these clarifying amendments do not present new matter.

Claims 2-4, 6-8, 13 and 14 are also amended to clarify the antecedent basis of the at least one human search assistant. Claim 6 is also amend to depend from claim 1. Again, it is respectfully submitted that these clarifying amendments present no new matter.

Claims 10, 14 and 16 are left unchanged.

Entry of the AMENDMENT TO THE CLAIMS is respectfully requested in the next Office communication.

B. Rejection of claim 1 under 35 U.S.C. § 112 first paragraph

Reconsideration of this rejection is respectfully requested, in view of the amendment to claim 1, on the basis that one having ordinary skill in the art of Internet searching would be able to practice the method of claim 1 as amended.

Claim 1 as amended requires that a human search assistant conducts a dialogue to formulate a first information request and subsequently directs the first information request to a specialized adjunct human search assistant who then reformulates the first information request into an adapted information request.

The specification as originally filed states on page 5, lines 23-30 discusses how the human search assistant can communicate with a user and help to formulate an information request. Further, on page 7, line 33 through page 8, line 1, the originally file specification states that a head search assistant “discusses the information request 3 with the user 1 in order to get a picture of the posed problems,” and directs the information request to the most suited specialized adjunct search assistant. The adjunct search assistant can reformulate the information request into an adapted information request (page 8, lines 11-15).

The claim language and method of amended claim 1 thus finds clear support in the specification as originally filed, and one having ordinary skill in the art of Internet searching would be able to fully practice the method of amended claim 1.

Accordingly, withdrawal of this rejection is respectfully requested.

2. Rejection of claims 1-3, 6-8, 10, 13, and 16 under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent 6,393,423 (Goedken) in view of U.S. patent 6,377,944 (Busey et al.) in view of U.S. patent 5,594,791 (Szlam et al.) and further in view of U.S. patent 6,487,553 (Emens et al.)

Reconsideration of this rejection is respectfully requested on the basis that the rejection fails to establish a *prima facie* case of obviousness with regards to claim 1, from which all of the remaining claims depend.

Concerning the Goedken patent, this patent is not related to the method required in amended claim 1. Instead, the Goedken patent relates to an "Internet" community wherein a request is sent to one of a plurality of information custodians after the information custodian has been selected by a first database (col. 5, lines 31-51). There is no connection between a requestor and a human searcher in order to formulate a request in the Goedken patent. Instead, the search request is automatically routed to an information custodian, without the discretion of a head human search assistant who conducts a dialogue and determines the appropriate specialized adjunct human search assistant, and then directs the information request to the appropriate specialized adjunct human search assistant.

A more detailed discussion as to the differences of previously presented claim 1 and the Goedken patent is provided in Applicant's response dated March 14, 2005.

According to the outstanding action, the Goedken patent fails to teach the limitation required by claim 1 wherein a human search assistant conducts a dialogue to formulate a first information request, as such the Busey patent is provided for filling in the gap in the teachings of the Goedken patent. Moreover, the Szlam patent is provided for overcoming the shortcoming of the Goedken patent wherein a head search assistant directs a first information request to an adjunct search assistant. Furthermore, the Emens patent is provided for overcoming the shortcomings of the Goedken, Busey and Szlam patents, wherein a second search is conducted based upon a first search.

The applicant submits that neither the Busey nor the Szlam patent disclose or suggest the specific step of a human search assistant conducting a dialogue to formulate a first information request and then subsequently directing the first information request to an adjunct search assistant in the basis of the first information request so that the adjunct search assistant can formulate an adapted information request.

The shortcomings of the Busey and Szlam patents have been discussed in detail in Applicant's responses dated March 14, 2005 and December 5, 2005.

Similarly, the Emens patent also fails to disclose or suggest the specific step of a human search assistant conducting a dialogue to formulate a first information request and then subsequently directing the first information request to an adjunct search assistant on the basis of the first information request.

Therefore, since none of the cited patents disclose or suggest the specific step of a human search assistant conducting a dialogue to formulate a first information request and then subsequently directing the first information request to an adjunct search assistant on the basis of the first information request, a *prima facie* case of obviousness cannot be maintained. Accordingly, withdrawal of this rejection is respectfully requested.

3. Rejection of claim 4 under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent 6,393,423 (Goedken) in view of U.S. patent 6,377,944 (Busey et al.) in view of U.S. patent 5,594,791 (Szlam et al.) in view of U.S. patent 6,487,553 (Emens et al.) and further in view of U.S. 6,366,906 (Hoffman)

Reconsideration of this rejection is respectfully requested on the basis that the rejection fails to establish a *prima facie* case of obviousness with regards to claim 1, from which claim 4 depends.

The Hoffman patent fails to make up for the shortcomings of the Goedken, Busey, Szlam and Emens patents, as discussed above in connection with claim 1.

Therefore, withdrawal of this rejection is kindly requested.

4. Rejection of claims 14 and 15 under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent 6,393,423 (Goedken) in view of U.S. patent 6,377,944 (Busey et al.) in view of U.S. patent 5,594,791 (Szlam et al.) in view of U.S. patent 6,487,553 (Emens et al.) and further in view of U.S. 6,405,175 (Ng)

Reconsideration of this rejection is respectfully requested on the basis that the rejection fails to establish a *prima facie* case of obviousness with regards to claim 1, from which claims 14 and 15 depend.

The Ng patent fails to make up for the shortcomings of the Goedken, Busey, Szlam and Emens patents, as discussed above in connection with claim 1.

Accordingly, withdrawal of this rejection is respectfully requested.

5. Rejection of claims 1-3, 6-8, 10, 13 and 16 under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent 6,393,423 (Goedken) in view of U.S. patent 6,377,944 (Busey) in view of U.S. patent 6,493,695 (Pickering) and further in view of U.S. patent 6,487,553 (Emens et al.)

Reconsideration of this rejection is respectfully requested for similar reasons described above in section (2), on the basis that the rejection fails to establish a *prima facie* case of obviousness with regards to claim 1 from which the remaining claims depend.

As discussed above in section (2) the Goedken, Busey and Emens patents fail to disclose or suggest a human search assistant conducting a dialogue to formulate a first information request and then subsequently directing the user to an adjunct search assistant on the basis of the first information request.

The Pickering patent suffers similar drawbacks of the Szlam patent wherein the Pickering patent does not disclose or suggest a human search assistant conducting a dialogue via a web browser over the Internet to formulate a first information request and directing the first information request to an adjunct human search assistant.

Therefore, since none of the cited patents disclose or suggest a human search assistant conducting a dialogue to formulate a first information request and then

subsequently directing the first information request to an adjunct search assistant on the basis of the first information request, withdrawal of this rejection is kindly requested.

6. Rejection of claim 4 under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent 6,393,423 (Goedken) in view of U.S. patent 6,377,944 (Busey et al.) in view of U.S. patent 6,493,695 (Pickering) in view of U.S. patent 6,487,553 (Emens et al.) and further in view of U.S. 6,366,906 (Hoffman)

Reconsideration of this rejection is respectfully requested on the basis that the rejection fails to establish a *prima facie* case of obviousness with regards to claim 1, from which claim 4 depends.

The Hoffman patent fails to make up for the shortcomings of the Goedken, Busey, Pickering and Emens patents, as discussed above in connection with claim 1.

Therefore, withdrawal of this rejection is respectfully requested.

7. Rejection of claims 14 and 15 under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent 6,393,423 (Goedken) in view of U.S. patent 6,377,944 (Busey et al.) in view of U.S. patent 6,493,695 (Pickering) in view of U.S. patent 6,487,553 (Emens et al.) and further in view of U.S. 6,405,175 (Ng)

Reconsideration of this rejection is respectfully requested on the basis that the rejection fails to establish a *prima facie* case of obviousness with regards to claim 1, from which claims 14 and 15 depend.

The Ng patent fails to make up for the shortcomings of the Goedken, Busey and Pickering patents as discussed above in connection to claim 1.

Accordingly, withdrawal of this rejection is respectfully requested.

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Examiner: Cam Y. T. Truong
Art Unit: 2162

8. Conclusion

As a result of the amendment to the claims, and further in view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is respectfully requested that every pending claim in the present application be allowed and the application be passed to issue.

If any issues remain that may be resolved by a telephone or facsimile communication with the applicants' attorney, the examiner is invited to contact the undersigned at the numbers shown below.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Justin J. Cassell', written over a horizontal line.

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